



City Council Agenda

Council President
Chris Mathys

Council Members

Garry Bredefeld
Mike Briggs, Acting President
Henry Perea

Sal Quintero
Daniel Ronquill
Ken Steitz

City Manager
Jeffrey M. Reid

City Clerk
Rebecca E. Klisch

City Attorney
Hilda Cant Montoy

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 498-1321

The City Council welcomes you to this meeting.

TUESDAY, SEPTEMBER 29, 1998

IF YOU WOULD LIKE TO SPEAK, FILL OUT A SPEAKER REQUEST FORM AVAILABLE FROM THE CITY CLERK'S OFFICE AND IN THE COUNCIL CHAMBERS. (THE AGENDA IS AVAILABLE ON WWW.CI.FRESNO.CA.US)

9:00 A.M. Roll Call

Invocation by Henry Lemay

Pledge of Allegiance to the Flag

Presentation of an Award to Brandy Heinrichs, 2nd Place Winner of The International Credit Association National Writing Contest - Council President Mathys

Proclamation of "A YEAR OF CELEBRATION FOR THE 75TH ANNIVERSARY OF ST. GEORGE GREEK ORTHODOX CHURCH" - Councilmember Bredefeld

Proclamation of "FIRE PREVENTION WEEK"

Proclamation of "NASA DAY" - Councilmember Steitz

Presentation by Southeast Fresno Cruise Committee - Councilmember Quintero

COUNCIL ACTION OF UNSCHEDULED ITEMS, IF ANY, SHALL BE LIMITED TO REFERRING THE ITEM TO STAFF FOR A REPORT AND POSSIBLE SCHEDULING ON A FUTURE COUNCIL AGENDA FOR EACH MATTER CONSIDERED BY THE COUNCIL, THERE WILL FIRST BE A STAFF PRESENTATION, FOLLOWED BY A PRESENTATION FROM THE PROJECT APPLICANT. TESTIMONY FROM THOSE IN ATTENDANCE WILL THEN BE TAKEN. ALL TESTIMONY GIVEN WILL BE LIMITED TO THREE MINUTES PER PERSON.

THE THREE LIGHTS ON THE PODIUM NEXT TO THE MICROPHONE WILL INDICATE THE AMOUNT OF TIME REMAINING FOR THE SPEAKER. THE GREEN LIGHT WILL BE TURNED ON WHEN THE SPEAKER BEGINS. THE YELLOW LIGHT WILL COME ON WITH ONE MINUTE REMAINING AND ONE TONE WILL SOUND. THE SPEAKER SHOULD BE COMPLETING THE TESTIMONY BY THE TIME THE RED LIGHT COMES ON AND TWO TONES SOUND, INDICATING THAT TIME HAS EXPIRED.

8:45 A.M. JOINT MEETING WITH THE REDEVELOPMENT AGENCY:

Approve Agency minutes of September 15 and 22, 1998

Action Taken:

AGENCY GENERAL ADMINISTRATION:

A. Approve proposed survey boundaries for Airport Redevelopment Project Area (*Council action*)

Action Taken:

1. RESOLUTION - Designating a survey area for the commercial and industrial areas in proximity to Fresno Yosemite International (FYI) Airport for redevelopment study purposes (*Council action*)

Action Taken:

2. Authorize a Professional Service Agreement with the firm of Keyser Marston Associates Inc. to perform a feasibility study for this survey area (*Agency action*)

Action Taken:

3. Authorize a Professional Service Agreement with the firm of Woodcock Planning and Environmental Services to prepare an Environmental Impact Report for the subject project (*Agency action*)

Action Taken:

RECESS JOINT MEETING TO 3:00 P.M.

***ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION**

Approve Council minutes of September 22, 1998

Action Taken:

Approve Agenda

Action Taken:

Adopt Consent Calendar

Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED:

- 10:00 A.M.** Consider amendments to the Fresno City Employees Health and Welfare Trust relating to appointments by City and arbitration procedures - Councilmember Quintero (***Council action to override Mayoral veto: Requires 5 votes***)
Action Taken:
- a. Direct staff to prepare report with alternatives and financial impacts for allowing Councilmembers to opt out of Health and Welfare Trust and receive stipend as Councilmembers or Redevelopment Agency Directors in lieu of premium payment to Trust - Councilmember Perea
Action Taken:

- 10:25 A.M.** Action necessary to establish a reward for information leading to the location and recovery of Margarita Flores
- a. * **RESOLUTION** - 25th amendment to AAR No. 98-159 appropriating \$500 from District 2 Infrastructure Budget to establish reward fund for the above - Council President Mathys (***Requires 5 affirmative votes***)
Action Taken:

- 10:30 A.M.** **HEARING** to consider Plan Amendment No. A-98-12, Rezoning Application No. R-98-19, and environmental findings, filed by James Oakes, AIA, on behalf of the Educational Employees Credit Union, for an approximately 16,500 square foot property located on the west side of N. Forkner Avenue approximately 400 feet north of W. Shaw Avenue
(***STAFF REQUEST TO CONTINUE TO OCTOBER 6, 1998***)
Action Taken:

10:35 A.M. - 10:50 A.M. - RECESS

***ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION**

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED:

- 11:00 A.M.** **HEARING** regarding Plan Amendment No. A-98-013, Rezoning Application No. R-98-015, filed by Donald Orosco for 5.4 acres of property located on the southeast corner of N. Brawley and W. Shields Avenues
Action Taken:
1. **RESOLUTION** - Amending the Fresno High/Roeding Community Plan
Action Taken:
2. **BILL** - Amending the Official Zone Map to rezone from the AE-5/UGM to the C-5/UGM/cz and R-2/UGM Zone Districts
Action Taken:

2:00 P.M.#1 DISCUSSION OF CONTESTED CONSENT ITEMS (IF ANY)

2:00 P.M.#2 CLOSED SESSION:

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Government Code Section 54956.9, Subdivision (a)

1. **Case Name:** San Jose Mercury News, Inc. v. City of San Jose
Action Taken:

REGULAR CLOSED SESSION OF THE REDEVELOPMENT AGENCY:

- A. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION** - Government Code Section 54957 - (Councilmember Steitz)
Title: Redevelopment Agency Executive Director, Dan Fitzpatrick
Action Taken:

3:00 P.M. CONTINUED JOINT MEETING WITH THE REDEVELOPMENT AGENCY

- A. Consider extension of and terms and conditions of employment contract with Executive Director of the Redevelopment Agency of the City of Fresno (***Agency action***)
Action Taken:
- B. Feasibility Study Report on the Fresno Hotel Partners (Ophelia/Naes Group) Proposed Downtown Hotel and Exhibit Hall Annex (***Council and Agency action***)
Action Taken:

***ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION**

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED:

3:30 P.M. CONTINUED JOINT MEETING WITH THE REDEVELOPMENT AGENCY

- C. **RESOLUTION** - Confirming that the Developer, Kearney Palms LLC, has met the conditions as outlined in Joint Resolution Nos. 98-232 and 1492, respectively, adopted July 28, 1998 (***Council and Agency action***)
Action Taken:
 1. Authorize the Executive Director of the Redevelopment Agency to execute the Disposition and Development Agreement (DDA) and the "Lease and Covenants for Public Parking, Operation and Maintenance, Reciprocal Easements, and Option to Purchase" (Parking Agreement) Agreement both by and between the Redevelopment Agency and Kearney Palms LLC
Action Taken:
 2. Authorize the Executive Director to execute any other documents and to take any other actions necessary to carry out the terms and conditions of the DDA and Parking Agreement including without limitation, acquiring real property and relocation activities
Action Taken:

ADJOURN AGENCY

1A. GENERAL CONSENT CALENDAR:

(ALL CONSENT CALENDAR ITEMS ARE CONSIDERED BY THE CITY COUNCIL TO BE ROUTINE AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS REQUESTED, IN WHICH EVENT THE ITEM WILL BE REMOVED FROM THE CONSENT CALENDAR AND CONSIDERED AT 2:00 P.M.#1)

1. Award a contract for one (1) new class-6 cab and chassis truck with Smeal Model 12T
Action Taken:
2. Approve Lease Modification/Supplement No. 003 to Lease DFTA08-87-L-11823 between the City of Fresno and the Federal Aviation Administration (FAA)
Action Taken:

***ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION**

1A. GENERAL CONSENT CALENDAR CONTINUED:

3. **RESOLUTION** - Approving the filing of application for grant funds for the Environmental Enhancement and Mitigation Program under the Section 164.56 of the Streets and Highways Code for the Fresno Yosemite International (FYI) Airport Gateway Improvement Project
Action Taken:
4. * **RESOLUTION** - 22nd amendment to AAR No. 98-159 appropriating \$145,600 to provide funding for the design and administration of underground storage tank removal and replacement at various City fire stations (*Requires 5 affirmative votes*)
Action Taken:
5. Proposed reappointment of Frank Franco to the Fresno Metropolitan Flood Control Board - Mayor Patterson (*for introduction*)
Action Taken:
6. Approve Professional Services Agreement with Triad Associates for the design of Dante/Alluvial Neighborhood Park and Maple/Shepherd Neighborhood Park
Action Taken:
7. Approve Equipment Lease Agreement between the City of Fresno and the State of California through its 21st District Agricultural Association
Action Taken:
8. **RESOLUTION** - Approving Final Map for Tract No. 4858, Phase III of Vesting Tentative Tract No. 4741/UGM 574, a 54-lot single-family residential subdivision on 18.09 acres, located at the south side of E. Perrin Avenue between N. Sommerville Drive, formally known as N. Chestnut Avenue and E. Shepherd Avenue
Action Taken:

9. * **RESOLUTION** - 351st amendment to MFS Resolution No. 80-420 to modify cost recovery charges in the Pretreatment Program

Action Taken:

1B. CONSENT CALENDAR - BILLS FOR INTRODUCTION - PINK TABS

2. PLANNING AND ZONING ADMINISTRATION

***ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION**

3. GENERAL ADMINISTRATION

- A. * **BILL NO. B-83** - Amending Subsection (h) of Section 8-1016 of the Fresno Municipal Code relating to conditions of operations of bingo (*Alternative 1*)

Action Taken:

1. * **BILL NO. B-84** - Amending Subsection (h) of Section 8-1016 of the Fresno Municipal Code relating to conditions of operations of bingo (*Alternative 2*)

Action Taken:

4. CITY ATTORNEY

5. CITY COUNCIL

- A. **Set October 20, 1998 at 9:45 A.M. for:** Direction to staff to prepare Requests for Proposal (RFPs) for the purpose of developing and initiating a public awareness campaign to decrease red light running violations - Councilmember Bredefeld

Action Taken:

- B. Encumber \$5,000 from the District 7 Infrastructure Budget to fund an After- School Homework Center at Kings Canyon Middle School. Monies to be allocated upon final agreement with Fresno Unified School District - Councilmember Perea

Action Taken:

- C. Reconsideration and possible revision of Rule 16(g) of Council Rules and Protocol - Councilmember Bredefeld

Action Taken:

- D. Direct staff to install 4-way stop signs at the intersection of Polk and Alluvial Avenues - Council President Mathys

Action Taken:

6. CITY/COUNTY INTERGOVERNMENTAL RELATIONS

- A. * **RESOLUTION** - Applying to the Fresno Local Agency Formation Commission (LAFCO) in the matter of the proposed Belmont-Fowler No. 4 Reorganization

Action Taken:

*** ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION**

7. **UNSCHEDULED ORAL COMMUNICATIONS** - You may address the City Council at the conclusion of the Council meeting regarding items that are not listed on the agenda. The policy is to limit your presentation to three (3) minutes pursuant to Ordinance No. 96-67. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least 10 days prior to the desired date of appearance.

SCHEDULED COUNCIL HEARINGS AND MATTERS

- Oct. 6 - 9:45 A.M.** Amend Section 8-1212.1 of the FMC re: to Mobilehome Rent Review and Stabilization - Council President Mathys
- Oct. 6 - 10:30 A.M.** **HEARING** re: vacation of a portion of Nees Avenue from Freeway 41 westerly near Poplar Avenue - R.I. 1015-D
- Oct. 6 - 10:40 A.M.** **HEARING** re: vacation of a portion of Calimyrna Avenue between Stanford and Brawley Avenues - R.I. 1016-D
- Oct. 6 - 11:00 A.M.** **HEARING** on resolution of necessity re: Hugo Kevorkian: Grantland Trunk Sewer Project
- Oct. 6 - 5:30 P.M.** **CONTINUED HEARING** on consideration of bills relating to advertised structures (billboards)
- Oct. 20 - 9:30 A.M.** **HEARING** re: Plan Amendment to Woodward Park Community Plan, P.A. No. 98-20, filed by Demco, Inc.
- Oct. 20 - 10:00 A.M.** **Employee Service Awards Presentation and Reception**
- Oct. 20 - 10:45 A.M.** **HEARING** re: Rezone Appl. No. R-98-21, filed by Prestige Care, Inc.
- Oct. 20 - 11:00 A.M.** **HEARING** on Rezone Appl. No. 98-27, filed by WestCal, Inc
- Oct. 20 - 5:30 P.M.** **JOINT HEARING WITH RDA** on Merger No. 2 and Certifying EIR No. 10125
- Oct. 27 - 9:00 A.M.** **Presentation of Employee P.R.I.D.E. Team Awards and Reception**
- Nov. 3 - ELECTION DAY - MEETING TO BE DETERMINED**
- Nov. 10 - 3:00 P.M.** Proposed text amendment dealing with the establishment of residential water rates - Council President Mathys
- Nov. 24 -. NO MEETING - THANKSGIVING WEEK**
- DEC. 15 - 2:30 P.M.** **CONTINUE HEARING** re: City of Fresno Community District No. 2, Annexation No. 7